

1
2
3
4
5
6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 MICHAEL HOLTSINGER,

12 Plaintiff,

13 vs.

No. CIV S-03-0732 MCE CMK P

14 J. M. BRIDDLE, et al.,

15 Defendants.

ORDER

16 _____/
17 Plaintiff is a state prisoner proceeding with this civil rights complaint. Plaintiff
18 has recently retained counsel. (Doc. 160.) Throughout the course of this litigation, there have
19 been numerous failed attempts to serve defendant T. Knight. (Doc. 159, 149, 148, 129, 71, 61,
20 51, 47.) Plaintiff's counsel has represented to the court that she is now aware of two possible
21 addresses for defendant Knight.

22 The court will direct the Clerk of the Court to send plaintiff's counsel two USM-
23 285 forms. Plaintiff's counsel is directed to fill out one form with the first address known for
24 defendant Knight and to fill out the second form with the second known address. The court will
25 direct the US Marshal Service to effect service of process.

26 ///

Accordingly, IT IS ORDERED that:

1. The Clerk of the Court is directed to issue forthwith, and the U.S. Marshal is directed to serve within ninety days of the date of this order, all process pursuant to Fed. R. Civ. P 4 without prepayment of costs.

2. The Clerk of the Court shall send plaintiff's counsel two USM-285 forms, one summons, a copy of the amended complaint, and a copy of this court's status order.

3. Plaintiff's counsel is directed to supply the U.S. Marshal, within fifteen days from the date this order is filed, all information needed by the U.S. Marshal to effect service of process. The court anticipates that, to effect service, the U.S. Marshal will require:

a. One completed summons;

b. A USM-285 form filled out with each of the known addresses for defendant Knight as described above;

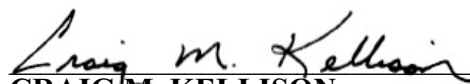
c. A copy of the endorsed filed amended complaint with an extra copy for the U.S. Marshal; and

d. A copy of this court's status order for the defendant.

4. In the event that the U.S. Marshal is unable, for any reason whatsoever, to effectuate service on defendant Knight within 90 days from the date of this order, the Marshal is directed to report that fact, and the reasons for it, to the undersigned.

5. The Clerk of the Court is directed to serve a copy of this order on the U.S. Marshal, 501 "I" Street, Sacramento, Ca, 95814, Tel. No. 916.930.2030.

DATED: October 4, 2006.


CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE